

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT**

IN THE MATTER OF:

Vergie James Vasser, Jr., Debtor(s).

CHAPTER 13

CASE NO. 19-40418-TJT

JUDGE THOMAS J. TUCKER

**TRUSTEE'S OBJECTIONS TO
CONFIRMATION OF CHAPTER 13 PLAN**

NOW COMES, the Chapter 13 Trustee, Tammy L. Terry, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to E.D. Mich. L.B.R. 3015-3(a) and 11 U.S.C. §1307(c)(5) as follows:

1. The Trustee objects to the debtor's plan language in Section III. B. 1 of the Plan, which requests that the Trustee hold from distribution the sum of \$4,000.00. Debtor's counsel has not provided any authority under the E.D. Mich. L.B.R. 2016-1 to hold this amount. The Trustee requests that we only reserve \$3,500.00 for attorney fees.
2. The value of property to be distributed under the Plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate of the debtor(s) were liquidated under Chapter 7, contrary to 11 U.S.C. 1325(a)(4).
3. The Trustee objects to the debtor's failure to disclose the years for the debts owed to the Internal Revenue Service in Schedule E and the Trustee requests an amendment of same.
4. The Trustee requests that the debtor provide copies of three (3) post-petition pay stubs at least 14 days prior to confirmation.
5. Based upon the debtor's Schedule I, a portion of the debtor's monthly gross income in the amount of \$1,200.00 is derived from income received from his daughter. The Trustee therefore requests a filed Affidavit from the debtor's daughter, with a copy served upon the Trustee, in order to determine whether such income constitutes "regular income" as required by 11 U.S.C. 109(e) and whether such income shall be sustained for the duration of the debtor's Plan pursuant to 11 U.S.C. 1325(a)(6).

WHEREFORE, the Chapter 13 Trustee requests this Honorable Court deny confirmation of the debtor's (s') Chapter 13 Plan and dismiss this case pursuant to 11 U.S.C. §1307(c)(5).

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT
Tammy L. Terry, Chapter 13 Trustee

March 5, 2019

/s/ Tammy L. Terry 

TAMMY L. TERRY (P-46254)

Chapter 13 Standing Trustee

/s/ KIMBERLY SHORTER - SIEBERT (P-49608)

/s/ MARILYN R. SOMERS-KANTZER (P-52488)

Staff Attorneys

535 Griswold, Suite 2100

Detroit, MI 48226

(313) 967-9857

mieb_ecfadmin@det13.net

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

IN THE MATTER OF:
Vergie James Vasser, Jr.
, Debtor(s).

CHAPTER 13
CASE NO. 19-40418-TJT
JUDGE THOMAS J. TUCKER

CERTIFICATE OF MAILING

I hereby certify that on March 7, 2019, a copy of **TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN** was electronically filed with the Clerk of Court, served electronically to the debtor's(s') attorney and a copy of same deposited in the U. S. Mail to the debtor (s) at the address as it appears below.

/s/ Patrice N. Watson

For the Office of the Chapter 13 Trustee-Detroit
535 Griswold, Suite 2100
Detroit, MI 48226
(313) 967-9857
mieb_ecfadmin@det13.net

Vergie James Vasser, Jr.
19304 Birchridge
Southfield, MI 480750000

FREGO & ASSOCIATES
23843 JOY ROAD, SUITE 4
DEARBORN HEIGHTS, MI 481270000